

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION STUDENT – ATHLETE
CONCUSSION INJURY LITIGATION, ET AL

Plaintiffs,

V.

Case No.: 1:13-cv-09116
Honorable John Z. Lee

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

Defendant.

**PLAINTIFF JULIUS WHITTIER’S MOTION TO WITHDRAW HIS RULE 23
MOTION FOR APPOINTMENT OF ADDITIONAL CLASS COUNSEL**

COMES NOW, Plaintiff Julius Whittier and files this his Motion to Withdraw his Rule 23 Motion for Appointment of Additional Class Counsel and in support thereof, shows the Court as follows:

I.

While Plaintiff Whittier’s Rule 23 Motion was pending and before the time for filing his Memorandum in Support of said Motion, Counsel for Whittier received Plaintiff Nichols’ Renewed Motion to Appoint Jay Edelson as Lead Counsel of the Personal Injury Class and communicated with Mr. Edelson regarding the most efficient means of insuring that class plaintiffs seeking class certification for personal injury damages are protected. Counsel for Whittier and Nichols have determined that these plaintiffs would have their interest adequately protected and judicial efficiency best served by the appointment of Mr. Edelson as interim class

counsel for the personal injury class with the undersigned counsel for Plaintiff Whittier participating in a meaningful capacity going forward.

II.

Plaintiff Whittier incorporates by reference the arguments submitted by Mr. Edelson in Nichols' Renewed Motion to Appoint Mr. Edelson, along with the arguments submitted by the undersigned counsel regarding the inadequacy of representation of current class counsel to serve as counsel for the putative class members seeking personal injury damages set forth in Plaintiff Whittier's Rule 23 Motion for Appointment of Additional Class Counsel.

III.

CONCLUSION

WHEREFORE, Plaintiff Julius Whittier, requests that the Court accept this Motion to Withdraw His Rule 23 Motion to Appoint Additional Class Counsel and appoint Jay Edelson as lead class counsel for the personal injury class.

Date: January 28, 2015.

Respectfully submitted,

/s/ Dwight E. Jefferson

By: _____

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**ATTORNEY FOR CLASS-
PLAINTIFF MILDRED
WHITTIER, A/N/F, JULIUS
WHITTIER**

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically via CM/ECF, which caused notice to be sent to all counsel of record on this 28th day of January, 2015.

/s/ Dwight E. Jefferson
By: _____